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DOCKET NO.: AJC 201.1/10304772

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joseph ARTISS *et al.*

Application No.: 10/628,475

Art Unit: 1615

Filed: July 29, 2003

Examiner: B. M. Fubara

For: COMPOSITIONS COMPRISING DIETARY FAT
COMPLEXER AND METHODS FOR THEIR USE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Examiner's statement of reasons for allowance in the Notice of Allowance dated December 13, 2004 in this application.

Applicants agree that the method as claimed is patentably distinct from the method disclosed by Tadeschi (JP 6153861) but wishes to clarify that the Examiner's statement,

"Tadeschi differs from the instant claims in that the food product of Tadeschi contains γ -linolenic acid in addition to the α -cyclodextrin while the instant case α -cyclodextrin alone is added to the food product in specific amounts relative to the amount of fat present in the food product."

is not construed to mean that applicants' method as claimed excludes the addition of γ -linolenic acid. Tadeschi does not disclose determining the amount of fat in a food product and adding α -cyclodextrin to the food product to achieve the α -cyclodextrin:fat ratios that are recited in applicants' claims. Applicants wish to make clear that applicants' method as claimed comprises the steps of adding α -cyclodextrin to a food product such that α -cyclodextrin and fat are present

in the food product in particular ratios and as such does not exclude the addition of γ -linolenic acid to the food product.

Dated: January 5, 2005

Respectfully submitted,

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